IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

L.P.A.No. 210 of 2004 in
RFA No.4186 of 1998
Date of decision: 19.3.2007

Ram Dev and others

... Appellants.

v.

State of Haryana

... Respondent

CORAM: HON'BLE MR.JUSTICE VIJENDER JAIN,CHIEF JUSTICE.

HON'BLE MR.JUSTICE RAJIVE BHALLA.

--

Present: Mr. Rajiv Sharma,Advocate, for the appellants.

Mr.Randhir Singh, Addl.Advocate General,Haryana, for the State.

--

1. Whether the Reporters of Local News paper may be allowed to see the judgment ?

2. To be referred to the Reporters or not ?

3. Whether the judgment should be reported in the Digest ?

*Vijender Jain, Chief Justice (Oral)*

This order would dispose of LPA Nos.146,147 and 210 of 2004, as common questions of law and facts are involved in these appeals. Facts are being taken from LPA No.210 of 2004.

Challenge in the present appeals is to the order of the learned Single Judge dated 28.7.2004. The state of Haryana vide notification dated 11.5.1990 issued under Section 4 of the Land Acquisition Act, 1894 (hereinafter referred to as "the Act") proposed to acquire 185.74 acres of land falling in village Ankhir and 13.19 acres of land falling in village Fatehpur Chandela. The Land Acquisition Collector vide award dated 5.5.1993 awarded compensation at the rate of Rs.3.50 lacs per acre in addition to solatium at the rate of 30% along with other statutory benefits. As the appellants were dissatisfied with the compensation awarded, they preferred reference under Section 18 of the Act. The learned Additional District Judge, Fatehbad vide award dated 15.12.1997 enhanced the compensation at the rate of Rs.360/- per square yard. Both the State of Haryana and the appellants, filed Regular First Appeals impugning the award of the learned Additional District Judge. Vide judgment dated 27.5.1999, a learned Single Judge allowed the appeal filed by the State of Haryana and reduced the compensation to Rs.281.76 per square yard. The appeals filed by the landowners were dismissed. Counsel for the landowners as also the counsel for the State of Haryana are ad idem that the controversy involved in the present appeals is squarely covered by the decision in LPA No.1367 of 2001 (Suresh Chand Garg v. The State of Haryana and others) decided on August 10, 2005 wherein the rate of compensation has been held to be Rs.250/- per square yard.

Consequently, in view of the aforementioned judgment, the present appeals are disposed of in terms of the judgment in **Suresh**

**Chand Garg's** case (supra).

( VIJENDER JAIN )
CHIEF JUSTICE

( RAJIVE BHALLA )
JUDGE

March 19, 2007
rk